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September 25, 2023

**VIA ECF**

Honorable Analisa Torres  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *James Rhodes v. City of New York, et al.*, 22-CV-07884

Your Honor:

I am a Senior Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and attorney for defendants City of New York, Police Officer Gamze S. Alpsoy, and Sergeant Maribel Burgos. Defendants write on behalf of all parties, including Plaintiff's counsel, Alexis Padilla, to respectfully request: (1) a sixty (60) day enlargement of time, from September 26, 2023 to November 24, 2023, to complete discovery; and (2) a corresponding adjournment of the October 17, 2023 Case Management Conference to a date and time convenient for the Court after November 24, 2023.<sup>1</sup> In the event this request is granted, attached is an updated Civil Case Management Plan and Scheduling Order for the Court's endorsement. This is the second request for an extension.

The reason for this request is that due to scheduling conflicts, the parties were not able to complete depositions before the end of September. Counsel for the parties, however, have conferred, and to the extent the Court is inclined to grant the within request, we are scheduled to proceed with the depositions of Plaintiff and Defendant Officers Alpsoy and Burgos's depositions on October 23, 24, and 25, 2023. Additionally, depositions were further delayed because there was a bit of delay in identifying additional officers on scene. Now that that these officers and videos have been identified and disclosed, we are prepared to commence depositions.

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<sup>1</sup> The undersigned acknowledges and apologizes that this request was not made with sufficient notice pursuant to Your Honor's Individual Rules. The undersigned delay in submitting such an application was due to the undersigned being out of the office sick for most of last week.

Accordingly, the parties respectfully request: (1) a sixty (60) day enlargement of time, from September 26, 2023 to November 24, 2023 to complete discovery; and (2) a corresponding adjournment of the October 17, 2023 Case Management Conference to a date and time convenient for the Court after November 24, 2023.

Thank you for your consideration of the instant application.

Respectfully submitted,

*Thomas Lai s/*

Thomas Lai

Senior Counsel

Special Federal Litigation Division

GRANTED. Fact discovery shall now close on **November 24, 2023**. The case management conference scheduled for October 17, 2023, is ADJOURNED to **December 19, 2023**, at **10:20 a.m.**

SO ORDERED.

Dated: September 26, 2023  
New York, New York



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ANALISA TORRES  
United States District Judge